

Ante, p. 395.
Short title.

Salaries and expenses, Office of the Solicitor, \$28,550.
SEC. 202. This Act may be cited as "The Supplemental Federal Security Agency Appropriation Act, 1949".

JOSEPH W. MARTIN JR
Speaker of the House of Representatives.

A H VANDENBERG
President of the Senate pro tempore.

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 16, 1948.

Certificate of House
of Representatives.

The House of Representatives having proceeded to reconsider the bill (H. R. 6355) entitled "An Act making supplemental appropriations for the Federal Security Agency for the fiscal year ending June 30, 1949, and for other purposes", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

JOHN ANDREWS
Clerk.

Certificate of origin.

I certify that this Act originated in the House of Representatives.

JOHN ANDREWS
Clerk.

IN THE SENATE OF THE UNITED STATES,
June 16 (legislative day, June 15), 1948.

Certificate of Sen-
ate.

The Senate having proceeded to reconsider the bill (H. R. 6355) entitled "An Act making supplemental appropriations for the Federal Security Agency for the fiscal year ending June 30, 1949, and for other purposes", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, and passed by the House of Representatives on reconsideration of the same, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

Attest:

CARL A. LOEFFLER
Secretary.

[CHAPTER 473]

AN ACT

June 16, 1948

[H. R. 6407]

[Public Law 647]

To encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes.

International Avia-
tion Facilities Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "International Aviation Facilities Act".

DEFINITIONS

SEC. 2. For the purposes of this Act:

"Air Coordinating
Committee."
49 U. S. C. § 421
note.

(1) The term "Air Coordinating Committee" means the committee established by Executive Order Numbered 9781, dated September 19, 1946, or such successor agency or agencies as may exercise the same or

equivalent powers whether created by Executive order or legislative enactment.

(2) The term "airport property" means any property, real or personal, or any interest therein, used or useful, directly or indirectly, in connection with the administration, operation, or maintenance of an airport, including but not limited to (1) land; (2) runways, strips, taxiways, and parking aprons; (3) buildings, structures, improvements, and facilities, whether or not used in connection with the landing and take-off of aircraft; and (4) equipment (including parts and components thereof), furniture, vehicles, and supplies.

"Airport property."

(3) The term "airway property" means any property, real or personal, or any interest therein, used or useful, directly or indirectly, in connection with the administration, operation, or maintenance of any ground installation, facility, or equipment (including parts and components thereof) necessary or desirable for the orderly and safe operation of air traffic, including but not limited to air navigation, air-traffic control, airway communications, and meteorological facilities.

"Airway property."

(4) The term "foreign territory" means any area of land or water over which no nation or a nation other than the United States exercises the incidents of sovereignty (including territory of undetermined sovereignty and the high seas), any area of land or water temporarily under military occupation by the United States, and any area of land or water occupied or administered by the United States or any other nation under any international agreement.

"Foreign territory."

ESTABLISHMENT AND OPERATION, IN FOREIGN TERRITORY, OF FACILITIES RELATED TO AVIATION

SEC. 3. After consultation with the Air Coordinating Committee and subject to concurrence of the Secretary of State, and with due regard for the objectives of the International Civil Aviation Organization, the Administrator of Civil Aeronautics (hereinafter referred to as the "Administrator") and the Chief of the Weather Bureau of the Department of Commerce, within their respective fields, are authorized, by contract or otherwise, to acquire, establish, and construct airport property and airway property in foreign territory: *Provided, however, That, except in the case of airport property transferred under section 8, no airport (as defined in section 1 of the Civil Aeronautics Act of 1938, as amended) may be acquired, established, or constructed under authority of this section unless funds for such purpose have been specifically appropriated by the Congress.*

Post, p. 452.

52 Stat. 977.

49 U. S. C. § 401.

Post, p. 493.

TRAINING OF FOREIGN NATIONALS IN AERONAUTICAL AND RELATED SUBJECTS

SEC. 4. Subject to the concurrence of the Secretary of State, the Administrator and the Chief of the Weather Bureau, within their respective fields, are authorized within or outside the United States to train foreign nationals directly, or in conjunction with any other United States Government agency, or through any United States public or private agency (including any State or municipal educational institution), or through any international organization, in aeronautical and related subjects essential to the orderly and safe operation of civil aircraft.

ACCEPTANCE OF FUNDS FOR FACILITIES SUPPLIED OR SERVICES PERFORMED FOR A FOREIGN GOVERNMENT OR AN INTERNATIONAL ORGANIZATION

SEC. 5. The Administrator and the Chief of the Weather Bureau, respectively, are authorized to accept, on behalf of the United States,

funds from any foreign government or from any international organization as payment for any facilities supplied or services performed for such government or international organization by the Administrator or the Chief of the Weather Bureau, either directly or indirectly, under authority of this Act or the Civil Aeronautics Act of 1938, as amended, including the operation of airport property and airway property in such countries, the training of foreign nationals, the rendering of technical assistance and advice to such countries, and the performance of other similar services. Funds so received may be credited (A) to appropriations current at the time the expenditures are to be or have been paid, (B) to appropriations current at the time such amounts are received, or (C) in part as provided under clause (A) and in part as provided under clause (B).

52 Stat. 973.
49 U. S. C. § 401 et
seq.
Post, pp. 470, 493,
1098, 1216.

**TRANSFER OF AIRPORT PROPERTY OR AIRWAY PROPERTY TO A FOREIGN
GOVERNMENT OR AN INTERNATIONAL ORGANIZATION**

SEC. 6. With the unanimous approval of the Air Coordinating Committee, the Administrator or the Chief of the Weather Bureau, as the case may be, upon request of the foreign government involved or of any international organization, may transfer any airport property or airway property operated and maintained by him within foreign territory, pursuant to the provisions of this Act, to the foreign government involved or to any international organization. The Administrator or the Chief of the Weather Bureau, as the case may be, is authorized to make such transfer upon such terms and conditions as he deems proper, including provision for receiving, on behalf of the United States, such payment or other consideration for the property so transferred as may be agreed upon through negotiations with the foreign government or international organization involved.

**FACILITIES, SERVICE, AND PROPERTY IN THE CANAL ZONE AND IN THE
REPUBLIC OF PANAMA**

SEC. 7. (a) Subject to the approval of the Secretary of Defense, the Administrator is authorized to provide air navigation, communications, and air traffic control facilities and services in the Canal Zone and the Republic of Panama and to do all things necessary in connection with the operation and maintenance thereof.

(b) In exercising and performing his powers and duties under this section, the Administrator shall do so consistently with any obligation assumed by the United States in any treaty, convention, or agreement that may be in force between the United States and the Republic of Panama.

(c) Any department of the National Military Establishment is authorized in its discretion to transfer without charge therefor to the Administrator any airport property or airway property or other real or personal property which (1) is located in the Canal Zone or the Republic of Panama, and (2) is determined by the Administrator to be, or likely to become, useful in carrying out the purposes of this Act.

(d) The authority conferred by this section may be exercised without regard to sections 3 and 8 (a) of this Act.

Transfer of prop-
erty.

**TRANSFER OF CERTAIN PROPERTY FROM THE NATIONAL MILITARY ESTABLISH-
MENT TO THE ADMINISTRATOR OR THE WEATHER BUREAU**

SEC. 8. (a) When considered consistent with the needs of national defense, and subject to such conditions, if any, as may be agreed upon in specific cases between the parties, any department of the National Military Establishment is authorized to transfer at its discretion to the Administrator, without charge therefor, airport property and

airway property, exclusive of meteorological facilities, installed by or in the possession of such department in territory (including Alaska) outside the continental limits of the United States, which such department has found to be no longer required exclusively for military purposes and which in the opinion of the Administrator are, or are likely to become, necessary for carrying out the purposes of this Act. Transfer of property in foreign territory shall be made hereunder only after consultation with the Air Coordinating Committee.

(b) When considered consistent with the needs of national defense, and subject to such conditions, if any, as may be agreed upon in specific cases between the parties, any department of the National Military Establishment is authorized to transfer at its discretion to the Chief of the Weather Bureau without charge therefor, meteorological facilities installed by or in the possession of such department in territory (including Alaska) outside the continental limits of the United States, which such department has found to be no longer required exclusively for military purposes, and which, in the opinion of the Chief of the Weather Bureau are, or are likely to become, necessary for carrying out the purposes of this Act. Transfer of property in foreign territory shall be made hereunder only after consultation with the Air Coordinating Committee.

Transfer of meteorological facilities.

(c) All property transferred to the Department of Commerce under the provisions of Executive Order 9709, dated March 29, 1946, and Executive Order 9797, dated November 6, 1946, and which is in the possession of the Department of Commerce on the date of the enactment of this Act shall be considered as property transferred pursuant to this section.

3 CFR, 1946 Supp., pp. 115, 175.

AUTHORITY TO RETAKE PROPERTY TRANSFERRED UNDER SECTION 7 OR 8

SEC. 9. When necessary to meet military requirements, as determined by the Secretary of the department which made the transfer, such department is authorized immediately to retake any property transferred under section 7 or section 8, together with any improvements or additions made thereto: *Provided*, That the Secretary of such department, upon the recommendation of the Administrator or the Chief of the Weather Bureau, as the case may be, is authorized in any case to waive any right or privilege conferred or reserved by this section. In the event property is retaken which incorporates improvements or additions not made at Government expense, reasonable compensation shall be paid to the person or persons who made such improvements or additions, or to their successors in interest. The Secretary of the department which made the transfer, or his duly authorized representative, shall determine, for purposes of this section, what is reasonable compensation for such improvements or additions.

Waiver of rights.

POWERS OF ADMINISTRATOR AND CHIEF OF WEATHER BUREAU WITH RESPECT TO CERTAIN AIRPORT PROPERTY AND AIRWAY PROPERTY

SEC. 10. (a) With regard to airport property and airway property in territory (including Alaska) outside the continental limits of the United States which he has acquired pursuant to this Act or any other provision of law, the Administrator is empowered and directed to do and perform, by contract or otherwise, all acts and things necessary or incident to their consolidation, operation, protection, maintenance, improvement, and administration, including but not limited to the power (1) to adapt, from time to time, such properties to the needs of civil aeronautics by construction, installation, reengineering, relocation, or otherwise; (2) to make and amend such reasonable rules and regulations as he may deem necessary to the proper exercise of the

powers granted by this section; (3) to lease under such conditions as he may deem proper and for such periods as may be desirable (not to exceed twenty years) space or property for purposes essential or appropriate to their consolidation, operation, protection, and administration under this Act; (4) to contract for, or to provide directly for, the sale of fuel, oil, equipment, food and supplies, hotel accommodations, and other facilities and services necessary or desirable for the operation and administration of such properties; (5) to make just and reasonable charges for aeronautical services (including but not limited to landing fees and fees for the use of communication services); and (6) to acquire, by purchase or otherwise, real or personal property, or interests therein, which he may consider necessary for the purposes of this section. Any person who knowingly and willfully violates any rule or regulation issued by the Administrator under clause (2) of this section, if such violation is committed in any area under the civil jurisdiction of the United States, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$500 or to imprisonment not exceeding six months, or to both such fine and imprisonment.

Penalty.

(b) With regard to meteorological facilities in territory (including Alaska) outside the continental limits of the United States which he has acquired pursuant to this Act or any other provision of law, the Chief of the Weather Bureau is vested with all powers to consolidate, operate, protect, maintain, improve, and administer granted the Administrator by subsection (a) with respect to facilities the latter has acquired.

Crediting of funds.

(c) All funds received under this section, as a result of direct sale or charge by the Administrator or the Chief of the Weather Bureau and which, in the judgment of the Administrator or the Chief of the Weather Bureau, as the case may be, are equivalent to the cost, including handling charges, of the fuel, oil, equipment, food, supplies, services, shelter, or other assistance or services sold or furnished shall be credited to the appropriation from which the cost thereof was paid, and the balance, if any, shall be credited to miscellaneous receipts.

(d) The provisions of section 3709 of the Revised Statutes, as amended (41 U. S. C. 5), shall not apply to any of the leases or contracts made by the Administrator or the Chief of the Weather Bureau pursuant to the provisions of this Act.

UTILIZATION OF FACILITIES AND SERVICES OF OTHER GOVERNMENT AGENCIES

SEC. 11. The Administrator and the Chief of the Weather Bureau are authorized and directed, in carrying out the provisions of this Act, insofar as they find it practicable, to arrange for the use of appropriate facilities or services of other United States Government agencies, and to reimburse any such agency for such service out of funds appropriated to the Civil Aeronautics Administration or the Weather Bureau, as the case may be, to the end that personnel and facilities of existing United States Government agencies shall be utilized to the fullest possible advantage and not be unnecessarily duplicated. Any agency of the United States Government receiving any such request is hereby authorized to furnish such facilities or to perform such services.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 12. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved June 16, 1948.